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## **State Supreme Court upholds permit for Port Townsend biomass expansion**

By Charlie Bermant  
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PORT TOWNSEND — The state Supreme Court denied an appeal by environmental group PT AirWatchers and other groups Thursday, upholding a lower court's ruling that granted a permit for the expansion of the Port Townsend Paper Corp. biomass cogeneration plant.

"We hold that [the state Department of] Ecology and the [Pollutions Control Hearings] Board correctly concluded that greenhouse gas emissions from the project would not have significant environmental impacts," the unanimous ruling reads.

"We further hold that Ecology and the Board correctly concluded that the project would not result in adverse impacts to forest resources," it continued.

PT AirWatchers Director Gretchen Brewer said she was "sorely disappointed" by the ruling but was gratified the appeal brought the case to public attention.

"Overall, the journey has had success," she said. "A process that would have significantly harmed our community was brought out into the light rather than being railroaded through out of the public eye."

Kevin Scott, Port Townsend Paper Corp. director of sustainability, said company officials are pleased with the ruling because it allows them to move forward with the proposed facility, even as its future is uncertain.

"The courts have again upheld the fact that [Ecology] acted appropriately during the permitting process," he said.

"We still have a valid permit to continue, although the falling price of natural gas has made the development of this kind of renewable energy resource less attractive," he added.

"We are watching the market to see what happens.

"In the meantime, the project is on hold."

Port Townsend Paper's expanded biomass cogeneration plant would generate 24 megawatts in the \$55 million project. Officials earlier said it was on hold until later this year or 2015.

The construction of the Port Townsend facility is now idle after the completion of its first phase, the installation of a truck tipper that unloads trucks that transport hog fuel, the woody detritus used in biomass-fired plants, that took place between December 2010 and June 2011.

Scott has previously said the appeal process had prompted the company to get an 18-month extension of its construction permit, which is due for renewal in June.

The appeal, which was filed by PT AirWatchers and four other environmental groups, urged the requirement of an environmental impact statement prior to construction of the expanded facility that burns wood waste to create electricity.

In June 2012, Thurston County Superior Court Judge James Dixon rejected an appeal of the Olympic Region Clean Air Agency's permit for the plant, granting a motion for summary judgment that stopped the appeal.

The environmental groups took the case to the Court of Appeals Division 2, which ruled Dec. 10 that the appeal had merit and cleared the way for a hearing by the Supreme Court.

Brewer said the decision does not slow down the effort.

"It only strengthens our imperative to keep working toward clean and healthy air for us to breathe here in Port Townsend," she said.

"It's not clear whether they are proceeding with the biomass project, but we won't believe that it's off the table until they pull their application."

Other groups that filed the suit are No Biomass Burn, World Temperate Rainforest Network, the Olympic Environmental Council and the Olympic Forest Coalition.

Both the Port Townsend facility and the Nippon biomass expansion, which was dedicated in November, have been opposed by environmental groups who say the facilities will increase pollution, especially of ultrafine particles that can lodge in lungs.

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